

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-1518**

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GEORGE P. BERRY,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, COMMISSIONER OF SOCIAL SECURITY,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt. Jillyn K. Schulze, Magistrate Judge. (CA-99-2070-AW)

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Submitted: September 29, 2000

Decided: October 17, 2000

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Before NIEMEYER, MICHAEL, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Stephen F. Shea, WILLONER, CALABRESE & ROSEN, P.A., College Park, Maryland, for Appellant. Lynne A. Battaglia, United States Attorney, Allen F. Loucks, Assistant United States Attorney, Arthur J. Fried, General Counsel, Charlotte Hardnett, Deputy Chief Counsel, John M. Sacchetti, Associate General Counsel, Lawrence A. Levey, Office of the General Counsel, SOCIAL SECURITY ADMINISTRATION, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

George P. Berry appeals the magistrate judge's order<sup>1</sup> entering summary judgment in favor of the Commissioner in Berry's action for review of a final decision of the Commissioner of Social Security denying his claim for disability insurance benefits. We have reviewed the record and the magistrate judge's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the magistrate judge. See Berry v. Apfel, Commissioner, No. CA-99-2070-AW (D. Md. Feb. 25, 2000).<sup>2</sup> We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

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<sup>1</sup> The parties consented to the jurisdiction of a magistrate judge pursuant to 28 U.S.C. § 636(c) (1994).

<sup>2</sup> Although the district court's order is marked as "filed" on February 24, 2000, the district court's record shows that it was entered on the docket sheet on February 25, 2000. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the judgment or order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).